

CARLISLE PLANNING BOARD

MINUTES

JULY 13, 1992

Present:

Scott T. Evans, Chairman (Historical Commission)
Kenneth Ernstoff, Vice Chairman (ZBA, Conservation
Restriction Advisory Committee)
Phyllis W. Hughes, Clerk (MAGIC)
Richard Colman, Treasurer (Conservation
Commission, Environmental
Monitor)
Vivian Chaput (Housing, Master Plan)
George B. Foote (Capital Requirements Committee;
plan modification review)
Jill A. Natola
Elaine H. Olden,
Planner Assistant

Meeting called to order at 8:10 p.m.

Minutes

On motion by Ms. Hughes seconded by Mr. Evans, the members voted unanimously to approve the minutes of the June 8, 1992, meeting, with the following corrections: List "Conservation Restriction Advisory Committee" against Mr. Ernstoff's name, not Mr. Colman's; add Mr. Evans' name to the votes taken on the Workum applications.

Tall Pines Request for Extension of Approval of Definitive Plan

William Costello, applicant for the Tall Pines definitive plan, requested an extension of the approval of the plan, which expires on August 1, 1992, explaining that the Conservation Commission approval is in appeal and may not be resolved for several years. Mr. Foote moved to approve an extension subject to the recording of the plan within 90 days. Considerable discussion ensued, with Mr. Foote explaining that it could be problematic some time in the future for a Board unfamiliar with the plan to be asked to take action on completing the approval process, and Mr. Costello saying that it would be problematic for him to record the plan now since he will not own the property until the appeal is resolved. After considerable time spent trying to resolve these difficulties, on motion by Mr. Ernstoff seconded by Ms. Chaput, the members voted unanimously to extend the approval of the definitive plan entitled "Tall Pines, Carlisle, Mass., For: Costello," dated Feb. 28, 1990, by Stamski and McNary, Inc., 80 Harris Street, Acton, Mass., (Sheets 1-28) until November 1, 1992, subject to the existing conditions, to allow time for the problems to be resolved.

Meeting with Selectmen

The Selectmen joined the Board for discussion of the rules which will govern public hearings under the scenic road law. The Planning Board prefaced this discussion with an unrelated request for the Selectmen to appoint Mr. Ernstoff to the Conservation Restriction Advisory Committee, since the Planning Board's original representative, Stephen Tobin, is no longer on the Board. The Selectmen asked a few questions about the work of the advisory committee and requested a reminder memo of the request along with a copy of the last recommendation made to the Selectmen by the committee.

The following agreements and action items emerged from a lengthy discussion among the Selectmen, the Department of Public Works Superintendent, and the Planning Board about the rules for scenic road public hearings (this discussion was based on a hand-out listing the ideas from the June 2nd public meeting about review of proposed road improvement work on a scenic road):

1. a "tree" for purposes of the scenic road law in Carlisle shall be a living tree greater than 5"-6" in diameter at breast height.
2. normal DPW maintenance does not affect such "trees" or stone walls.
3. a public safety situation threatening enough to warrant suspending the public hearing process is one which has emerged suddenly and requires immediate attention. A situation which has become a safety concern incrementally over time can wait a while longer for the public hearing.
4. the question of the scope of the scenic roads law -- does it apply only to work by the Town or also to work by private parties -- should be resolved. Wanda Milik will start that process by asking Town Counsel's advice.
5. the issue of cost to the Town for public hearings should be highlighted in the initial Town Meeting decision to designate roads as scenic roads as well as in the creation of the Planning Board rules for the public hearings. Gary Davis will note on the discussion list handout which items are already part of the preparation for a road improvement project.
6. The appropriate balance between the DPW responsibility for public safety and Town Meeting's interest in preserving roadside character is difficult to identify because any conflict between the scenic road law and the statutory responsibilities of

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the DPW has never been resolved in a court case. The Planning Board will try to provide a description of the statutory responsibilities of the DPW for further discussion.

7. There was a general consensus that well-defined criteria are important in considering scenic road issues, with Selectmen Wanda Milik demurring.

Selectman Anderson commented as follows on the list of ideas for requirements from the June 2nd public meeting about review of proposed road improvement work on a scenic road:

- *Request DPW alternatives up front*
- *Professional review too costly*
- *Advance notice of project in Mosquito with request for suggestions for alternatives acceptable*
- *Proponent define goals as well as specifics acceptable*
- *Package for the public hearing to be passed through the Police Department, Fire Department, School department (for buses), Conservation Commission, Historical Commission not acceptable because it would string out the process*
- *Current photos, drawings of proposed changes acceptable*
- *Anecdotal and police information about public safety can be solicited but not required*
- *Rerouting of traffic during project not acceptable*
- *Construction process not acceptable*

Mr. Foote commented that the items on the list from the June 2nd meeting can be grouped into two categories: items which support the request to do the road improvement work and items which provide the Planning Board with alternatives, etc., to the proposed work.

There was general agreement that cost and time are issues in determining what requirements are reasonable.

Public Hearings on Workum applications for conservation cluster and common driveway on Maple Street

At 10:48 p.m., Chairman Evans called to order the public hearings on the applications of Fifield Workum, Jr., for a Conservation Cluster Special Permit and a Common Driveway Special Permit for

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property on Maple Street owned by Fifield Workum, Jr.

Ms. Hughes and Mr. Ernstoff reported on a site visit they had made to the property with Mr. Workum. They said that Mr. Workum had agreed to provide an alternative subdivision plan for the property to assist in the Board's deliberations on the application for a Conservation Cluster Special Permit. Since this plan had not been received, on motion by Mr. Foote seconded by Ms. Chaput, Mr. Foote, Ms. Chaput, Ms. Hughes, Mr. Ernstoff, and Mr. Evans voted to continue the public hearing until August 10, 1992, at 8:15 p.m.

Bills

The members authorized payment of bills as presented.

Meeting adjourned at 10:55 p.m.

Respectfully submitted,

Elaine H. Olden
Planner Assistant